

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

The Fireplace Restaurant,	
t/a The Fireplace	Protest
2161 P Street, NW	Hearing
Retailer CT	(Status)
License No. 14419	
Renewal Application	
Case No. 13-PRO-00161	

Wednesday
February 5, 2014

The Alcoholic Beverage Control Board met in Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street N.W., Washington, D.C., Chairperson Ruthanne Miller presiding.

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
HECTOR RODRIGUEZ, Member
MICHAEL SILVERSTEIN, Member
JAMES SHORT, Member
HERMAN JONES, Member

ALSO PRESENT:

Kevin O'Connor, ANC 2B

P-R-O-C-E-E-D-I-N-G-S

(9:30 a.m.)

CHAIRPERSON MILLER: Good morning,
Ladies and Gentlemen. Thank you for your
patience for getting out here a little later
than usual.

I want to welcome you to the
regular scheduled meeting of the District of
Columbia Alcoholic Beverage Control Board.
Today is February 5th, 2014.

My name is Ruthanne Miller, I'm
the Chairperson. Joining me today, to my far
right, is Mr. Donald Brooks. And next to Mr.
Brooks is Mr. Nick Alberti, and to my
immediate right is Mr. Hector Rodriguez.

To my immediate left is Mr. Mike
Silverstein, next to Mr. Silverstein is Mr.
James Short, and next to Mr. Short is Mr.
Herman Jones.

We have seven Members in
attendance this morning for the conduct of
business and that is our full Board. Copies

1 of today's Hearing Calendar and Agenda are
2 available at the receptionist desk.

3 Please be aware that these
4 proceedings are being recorded by a court
5 reporter. We ask you to refrain from any
6 disruptive noises or actions in the hearing
7 room. So please turn off any electronic
8 devices, pagers, cell phones, or such, so that
9 they don't interrupt the proceedings.

10 When I call your case, please come
11 forward and take a seat at the table. You'll
12 notice that there's a piece of paper on each
13 table for you to sign in. This is very
14 important, so that the record has the correct
15 spelling of your name.

16 The Open Meetings Act requires
17 that the public hearing on each case be open
18 to the public. The Board may, consistent with
19 Section 405(b) of the Open Meetings Act, enter
20 a closed meeting, during or after, the public
21 hearing on a case to consult with an attorney
22 to obtain legal advice, discuss settlement

1 agreements, or deliberate upon a decision in
2 an adjudication proceeding.

3 Okay, so we can now turn to this
4 morning's calendar and the first case on our
5 calendar is a protest status hearing, it's
6 Case Number 13-PRO-00161 the Fireplace.

7 And The Fireplace is located at
8 2161 P Street, N.W., it's License Number 14419
9 and in ANC 2B and this is a renewal
10 application. So if you would, sign in and
11 then introduce yourselves for the record.

12 MR. O'CONNOR: Kevin O'Connor with
13 ANC 2B.

14 CHAIRPERSON MILLER: All right,
15 good.

16 MR. WEINSTEIN: Stephen Weinstein,
17 Owner of Fireplace.

18 CHAIRPERSON MILLER: Okay, good
19 morning. And with you is?

20 MR. ZWELL: Parker Zwell, Manager
21 of Fireplace.

22 CHAIRPERSON MILLER: Okay. Good

1 morning. Okay, unless you have any specific
2 issues, I'll let you know your hearing date
3 and read the instructions for protest hearing.

4 MR. WEINSTEIN: Certainly.

5 CHAIRPERSON MILLER: Okay. Your
6 protest hearing date is April 2nd, 2014, at
7 4:30 p.m. The purpose of a protest hearing is
8 to determine the appropriateness of the
9 establishment in the section of the District
10 where the establishment is located and that is
11 from 23-1607.

12 And what's the most important for
13 you to know, at this point, is that you should
14 have received in the mail, okay, information
15 about the protest hearing, including a Protest
16 Information Form and a copy of an Exhibit
17 Form. If you don't have these, please see Ms.
18 Anderson at the conclusion of the hearing.

19 You're required to complete and
20 submit the Protest Information Form and the
21 Exhibit Form seven days before the date of the
22 hearing.

1 These two forms and accompanying
2 documents need to be submitted to Ms.
3 Anderson, for the Board, and to all opposing
4 parties in the matter.

5 If we don't receive a copy of your
6 Protest Information Form, also known as a PIF,
7 your application, or your protest could be
8 subject to dismissal.

9 Likewise, if we don't receive a
10 copy of the Exhibit Form and the exhibits
11 themselves, your exhibits may be excluded from
12 the record upon a finding that the opposing
13 party has been prejudiced for no good cause
14 for the failure to submit has been shown.

15 Likewise, witnesses, other than a
16 party, may also be subject to exclusion if not
17 identified on the PIF. These forms are very
18 important to the Board to narrow the protest
19 issue and keep the parties on point during the
20 hearing and also to let each of you know what
21 the issues are in the case and their evidence
22 so there are no surprises.

1 Okay, thank you very much for your
2 participation. If you have any questions,
3 you'll let me know, or else afterwards you can
4 always contact Ms. Anderson at 202-442-6492.
5 Okay.

6 MR. WEINSTEIN: Thank you.

7 CHAIRPERSON MILLER: Thank you.

8 (Whereupon, at 9:57 a.m., the
9 protest hearing status hearing was adjourned.)

<hr/> A <hr/> a.m 2:2 7:8 accompanying 6:1 Act 3:16,19 actions 3:6 adjourned 7:9 adjudication 4:2 advice 3:22 Agenda 3:1 agreements 4:1 Alberti 1:16 2:14 Alcoholic 1:2,12,12 2:9 ANC 1:20 4:9,13 Anderson 5:18 6:3 7:4 application 1:8 4:10 6:7 appropriateness 5:8 April 5:6 attendance 2:21 attorney 3:21 available 3:2 aware 3:3	4:18,22 5:5 7:7 closed 3:20 Columbia 1:1 2:9 come 3:10 complete 5:19 conclusion 5:18 conduct 2:21 consistent 3:18 consult 3:21 contact 7:4 Control 1:2,12,12 2:9 Copies 2:22 copy 5:16 6:5,10 correct 3:14 court 3:4 CT 1:7	failure 6:14 far 2:12 February 1:11 2:10 finding 6:12 Fireplace 1:6,6 4:6 4:7,17,21 first 4:4 Form 5:16,17,20,21 6:6,10 forms 6:1,17 forward 3:11 full 2:22	keep 6:19 Kevin 1:20 4:12 know 5:2,13 6:20 7:3 known 6:6	O'Connor 1:20 4:12,12 obtain 3:22 okay 4:3,18,22 5:1 5:5,14 7:1,5 open 3:16,17,19 opposing 6:3,12 Owner 4:17
<hr/> B <hr/> Beverage 1:2,12,12 2:9 Board 1:2,12 2:9 2:22 3:18 6:3,18 Brooks 1:16 2:13 2:14 Building 1:13 business 2:22	<hr/> D <hr/> D.C 1:13 date 5:2,6,21 days 5:21 decision 4:1 deliberate 4:1 desk 3:2 determine 5:8 devices 3:8 discuss 3:22 dismissal 6:8 disruptive 3:6 District 1:1 2:8 5:9 documents 6:2 Donald 1:16 2:13	<hr/> G <hr/> Gentlemen 2:4 getting 2:5 good 2:3 4:15,18,22 6:13	<hr/> M <hr/> mail 5:14 Manager 4:20 matter 1:5 6:4 meeting 1:3 2:8 3:20 Meetings 3:16,19 Member 1:16,16,17 1:17,18,18 Members 2:20 met 1:12 MICHAEL 1:17 Mike 2:16 Miller 1:14,15 2:3 2:11 4:14,18,22 5:5 7:7 morning 2:3,21 4:19 5:1 morning's 4:4	<hr/> P <hr/> P 1:7 4:8 P-R-O-C-E-E-D-... 2:1 p.m 5:7 paggers 3:8 paper 3:12 Parker 4:20 participation 7:2 parties 6:4,19 party 6:13,16 patience 2:5 phones 3:8 piece 3:12 PIF 6:6,17 please 3:3,7,10 5:17 point 5:13 6:19 prejudiced 6:13 PRESENT 1:15,19 presiding 1:14 proceeding 4:2 proceedings 3:4,9 protest 1:6 4:5 5:3 5:6,7,15,15,20 6:6 6:7,18 7:9 public 3:17,18,20 purpose 5:7
<hr/> C <hr/> calendar 3:1 4:4,5 call 3:10 case 1:9 3:10,17,21 4:4,6 6:21 cause 6:13 cell 3:8 Certainly 5:4 Chairperson 1:13 1:15 2:3,12 4:14	<hr/> E <hr/> electronic 3:7 enter 3:19 establishment 5:9 5:10 evidence 6:21 excluded 6:11 exclusion 6:16 Exhibit 5:16,21 6:10 exhibits 6:10,11	<hr/> H <hr/> hearing 1:7,13 3:1 3:6,17,21 4:5 5:2 5:3,6,7,15,18,22 6:20 7:9,9 Hector 1:17 2:15 Herman 1:18 2:19	<hr/> N <hr/> N.W 1:13 4:8 name 2:11 3:15 narrow 6:18 need 6:2 Nick 1:16 2:14 noises 3:6 notice 3:12 Number 4:6,8 NW 1:7	<hr/> Q <hr/> questions 7:2
	<hr/> F <hr/>	<hr/> J <hr/> James 1:18 2:18 Joining 2:12 Jones 1:18 2:19	<hr/> O <hr/>	<hr/> R <hr/> read 5:3 receive 6:5,9 received 5:14 receptionist 3:2 record 3:14 4:11 6:12
		<hr/> K <hr/>		

recorded 3:4	two 6:1	5th 2:10		
Reeves 1:13	<u>U</u>	<u>6</u>		
refrain 3:5	usual 2:6	<u>7</u>		
regular 2:8	<u>V</u>	<u>8</u>		
renewal 1:8 4:9	<u>W</u>	<u>9</u>		
reporter 3:5	want 2:7	9:30 2:2		
required 5:19	Washington 1:13	9:57 7:8		
requires 3:16	Wednesday 1:10			
Restaurant 1:6	Weinstein 4:16,16			
Retailer 1:7	5:4 7:6			
right 2:13,15 4:14	welcome 2:7			
Rodriguez 1:17	witnesses 6:15			
2:15	<u>X</u>			
room 1:13 3:7	<u>Y</u>			
Ruthanne 1:14,15	<u>Z</u>			
2:11	Zwell 4:20,20			
<u>S</u>	<u>0</u>			
scheduled 2:8	<u>1</u>			
seat 3:11	13-PRO-00161 1:9			
section 3:19 5:9	4:6			
see 5:17	14419 1:8 4:8			
settlement 3:22	14th 1:13			
seven 2:20 5:21	<u>2</u>			
Short 1:18 2:18,18	2000 1:13			
shown 6:14	2014 1:11 2:10 5:6			
sign 3:13 4:10	202-442-6492 7:4			
Silverstein 1:17	2161 1:7 4:8			
2:17,17	23-1607 5:11			
specific 5:1	2B 1:20 4:9,13			
spelling 3:15	2nd 5:6			
status 1:7 4:5 7:9	<u>3</u>			
Stephen 4:16	<u>4</u>			
Street 1:7,13 4:8	4:30 5:7			
subject 6:8,16	405(b) 3:19			
submit 5:20 6:14	<u>5</u>			
submitted 6:2	5 1:11			
surprises 6:22				
<u>T</u>				
t/a 1:6				
table 3:11,13				
take 3:11				
thank 2:4 7:1,6,7				
today 2:10,12				
today's 3:1				
turn 3:7 4:3				